



OLC 69-0959

19 November 1969

MEMORANDUM FOR THE RECORD

SUBJECT: DCI Appearance Before Symington Subcommittee on U.S.
Security Agreements and Commitments Abroad of
Senate Foreign Relations Committee-17 November 1969

1. On 17 November 1969, the Director appeared before the Subcommittee on U.S. Security Agreements and Commitments Abroad of the Senate Foreign Relations Committee. The meeting lasted from 1600 to 1640 hours. A technical sweep of the room, S-116 in the Capitol, and technical monitoring were dispensed with due to the fact that the briefing was arranged on short notice. A transcript was taken, but was retained by the Subcommittee (since the Director did not testify).

2. Present from the Subcommittee were:

Stuart Symington (D., Mo.), Chairman
J. W. Fulbright (D., Ark.)
John Sparkman (D., Ala.)
George D. Aiken (R., Vt.)
John Sherman Cooper (R., Ky.)
Clifford P. Case (R., N.J.)

3. Present from the staff were:

Carl Marcy, Chief of Staff, Foreign Relations Committee
Pat M. Holt, Consultant, Foreign Relations Committee
Arthur M. Kuhl, Chief Clerk, Foreign Relations Committee
Walter Pincus, Subcommittee Staff Investigator
Roland Paul, Subcommittee Staff Investigator
Milrae Jensen, Staff Assistant, Foreign Relations Committee

4. Accompanying the Director was:

John M. Maury, Legislative Counsel

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5. The session began by Chairman Fulbright, of the full Committee, (who at the time was the only Subcommittee member present) remarking that at noon that day he had been called by Dr. Kissinger, of the White House, who said that he was asking in behalf of Mr. Ehrlichman, who was out of town at the time, to say that the White House wished the Director and Ambassador Unger to appear jointly. Fulbright said he had told Kissinger that the Director's appearance was not necessary because they had already heard from him, and that the Subcommittee wanted to hear only from Ambassador Unger. Kissinger replied he was merely conveying the message and had no choice in the matter.

6. Senator Symington then arrived but Fulbright continued, stating that a public record was desired but the Subcommittee had agreed not to publish any of the Director's testimony and wished some answers to certain questions from Unger which could be reviewed for possible publication. He complained that Unger had apparently been claiming executive privilege on some of these points but then disclaimed invoking executive privilege.

7. Symington said the whole arrangement of having the Director present was "silly" and he wanted to hear from Unger. He said the whole question might have to be taken up with the Secretary of State.

8. Unger commented he was merely acting under instructions which were to the effect that this hearing was to be governed by the same rules and restrictions that had governed the Director's earlier appearance before the Subcommittee. Fulbright said that the agreement regarding restrictions applied only to Laos, and suggested that Unger testify for the record with the understanding that the record then be reviewed to see what portions could be sanitized. Unger repeated that he was authorized to testify only in accordance with rules governing CIA testimony. Fulbright asked who gave him these orders. Unger said that they had been relayed to him by Ambassador McClintock and the "group." Under further questioning, Unger said he understood these instructions had the blessing of the White House and the Secretary of State. Fulbright asked Unger if he was refusing to testify. Unger said he was merely carrying out instructions and would be glad to refer the question back to his superiors.

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9. Fulbright then proposed that since Unger was unwilling to testify before the Subcommittee, the Subcommittee session be adjourned and the discussion proceed under the auspices of the full Foreign Relations Committee. Other members present agreed and Fulbright proceeded to ask Unger a series of questions regarding the origins of U.S. arrangements with the Thai government for support to operations in Laos.

10. Unger repeated, in answer to each question, that his instructions did not permit him to reply under the circumstances.

11. Fulbright remarked that this was "unprecedented" in the case of a responsible Government official, and reminded him of the behavior of Jimmy Hoffa.

12. Symington complained that under these circumstances it would be impossible to develop the essential facts regarding our arrangements with Thailand for the benefit of the general public or even of members of the Senate who had to vote on the appropriations involved. Symington went on to say that if these arrangements had been made known to the Senate at the outset many lives and millions of dollars might have been saved.

13. Sparkman concurred, remarking it is impossible for the Committee to pass on appropriations when it was kept in the dark as to what the appropriations are for. Sparkman further remarked that he was surprised to learn of the arrangements permitting CIA to retain custody of the record of its appearances, and he thought this arrangement should be reviewed. Fulbright agreed. Fulbright proposed that the hearing adjourn and that the problem of Unger's testimony be taken up the next day with the Secretary of State.

14. At the conclusion of the meeting Fulbright expressed an interest in a press item (Washington Post of 16 November 1969) by Evans and Novak describing a secret briefing given to Greek ambassadors to western nations by Greek Foreign Minister Pipinellis, sharply criticizing U.S. policy toward Greece. Fulbright wanted to know whether we considered this story authentic. The Director said we would look into it and advise.

15. After the meeting Fulbright asked me to convey to the Director his "apologies" for "wasting the Director's time." He said the Subcommittee had no desire to hear from the Director, that he realized the whole performance had been a "farce" and that he felt the Director had more important things to do than waste his time this way. I told Fulbright that the Director's appearance was certainly not the Agency's idea.

16. Since the record contained no substantive testimony by the Director, I agreed with Mr. Pincus that there was no need for the Agency to retain custody of the transcript.

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17. Followup action: see paragraph 14 above.



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